

Senate Study Bill 1045

SENATE FILE _____
BY (PROPOSED COMMITTEE ON
JUDICIARY BILL BY
CHAIRPERSON REDFERN)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to statutory corrections which may adjust
2 language to reflect current practices, insert earlier
3 omissions, delete redundancies and inaccuracies, delete
4 temporary language, resolve inconsistencies and conflicts,
5 update ongoing provisions, or remove ambiguities, and
6 including effective and retroactive applicability date
7 provisions.
8 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
9 TLSB 1065SC 80
10 lh/cf/24

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1 1 Section 1. Section 6B.18, subsection 2, Code 2003, is
1 2 amended to read as follows:
1 3 2. An appeal of appraisal of damages is deemed to be
1 4 perfected upon filing of a notice of appeal with the district
1 5 court within thirty days from the date of mailing the notice
1 6 of appraisal of damages. The notice of appeal shall be
1 7 served on the adverse party, or the adverse party's agent or
1 8 attorney, ~~and any lienholders lienholder and encumbrancers~~
1 9 ~~encumbrancer~~ of the property in the same manner as an original
1 10 notice within thirty days from the date of filing the notice
1 11 of appeal unless, for good cause shown, the court grants more
1 12 than thirty days. If after reasonable diligence, the notice
1 13 cannot be personally served, the court may prescribe an
1 14 alternative method of service consistent with due process of
1 15 law.
1 16 Sec. 2. Section 8D.2, subsection 5, paragraph b, Code
1 17 2003, is amended to read as follows:
1 18 b. For the purposes of this chapter, "public agency" also
1 19 includes any homeland security or defense facility established
1 20 by the administrator of the emergency management division of
1 21 the department of public defense or the governor or any
1 22 facility connected with a security or defense system as
1 23 required by the administrator of the emergency management
1 24 division of the department of public defense or the governor.
1 25 ~~A facility that is considered a public agency pursuant to this~~
~~1 26 paragraph shall be authorized to access the Iowa~~
~~1 27 communications network strictly for homeland security~~
~~1 28 communication purposes. Any utilization of the network that~~
~~1 29 is not related to communications concerning homeland security~~
~~1 30 is expressly prohibited.~~
1 31 Sec. 3. Section 8D.9, Code 2003, is amended by adding the
1 32 following new subsection:
1 33 NEW SUBSECTION. 3. A facility that is considered a public
1 34 agency pursuant to section 8D.2, subsection 5, paragraph "b",
1 35 shall be authorized to access the Iowa communications network
2 1 strictly for homeland security communication purposes. Any
2 2 utilization of the network that is not related to
2 3 communications concerning homeland security is expressly
2 4 prohibited.
2 5 Sec. 4. Section 10A.101, Code 2003, subsection 2, is
2 6 amended by striking the subsection.
2 7 Sec. 5. Section 10B.4A, Code 2003, is amended to read as
2 8 follows:
2 9 10B.4A SUSPENSION OF OTHER FILING REQUIREMENTS.
2 10 The secretary of state shall not prepare or distribute
2 11 forms for reports or file reports otherwise required pursuant
2 12 to section 9H.5A, 9I.8, or 501.103. A person required to file
2 13 a report pursuant to this chapter is not required to file a
2 14 report under those sections. A person required to file a
2 15 report pursuant to this chapter is not required to register
2 16 with the secretary of state as otherwise required in section
2 17 9I.7.

2 18 A person required to file a report pursuant to this chapter
2 19 ~~is not required to register with the secretary of state as~~
2 20 ~~otherwise required in any chapter enumerated in this section.~~

2 21 Sec. 6. Section 10D.2, subsection 3, paragraph a,
2 22 unnumbered paragraph 1, Code 2003, is amended to read as
2 23 follows:

2 24 A designated use must relate to producing baby chicks or
2 25 ~~fertile~~ fertilized chicken eggs for any of the following
2 26 purposes:

2 27 Sec. 7. Section 12C.19, subsection 1, Code 2003, is
2 28 amended to read as follows:

2 29 1. Securities pledged pursuant to this chapter may be
2 30 withdrawn on application of the pledging depository
2 31 institution, and as to securities pledged by a credit union,
2 32 upon approval of the public officer to whom the securities are
2 33 pledged, if the deposit of securities is no longer necessary
2 34 to comply with this chapter, or withdrawal is required for
2 35 collection by virtue of ~~its~~ maturity or ~~for~~ exchange. The
3 1 depository institution shall replace securities so withdrawn
3 2 for collection or exchange.

3 3 Sec. 8. Section 12C.23A, subsection 3, paragraph d, Code
3 4 2003, is amended to read as follows:

3 5 d. If the loss of public funds is not covered by federal
3 6 deposit insurance and the proceeds of the closed bank's assets
3 7 that are liquidated within thirty days of the closing of the
3 8 bank are not sufficient to cover the loss, then any further
3 9 payments to cover the loss will come from the state sinking
3 10 fund for public deposits in banks. If the balance in that
3 11 sinking fund is inadequate to pay the entire loss, then the
3 12 treasurer shall obtain the additional amount needed by making
3 13 an assessment against other banks whose public funds deposits
3 14 exceed federal deposit insurance coverage. A bank's
3 15 assessment shall be determined by multiplying the total amount
3 16 of the remaining loss to all public depositors in the closed
3 17 bank by a percentage that represents the assessed bank's
3 18 proportional share of the total of uninsured public funds
3 19 deposits held by all banks and all branches of out-of-state
3 20 banks, based upon the average of the uninsured public funds of
3 21 the assessed bank or branch of an out-of-state bank as of the
3 22 end of the four calendar quarters prior to the date of closing
3 23 of the closed bank and the average of the uninsured public
3 24 funds in all banks and branches of out-of-state banks as of
3 25 the end of the four calendar quarters prior to the date of
3 26 closing of the closed bank, excluding the amount of uninsured
3 27 public funds held by the closed bank at the end of the four
3 28 calendar quarters ~~held by the closed bank~~. Each bank shall
3 29 pay its assessment to the treasurer of state within three
3 30 business days after it receives notice of assessment.

3 31 Sec. 9. Section 13B.4, subsection 4, paragraph c,
3 32 subparagraph (1), Code 2003, is amended to read as follows:

3 33 (1) If the charges are ~~appropriate and~~ and
3 34 necessary, approve the claim for payment.

3 35 Sec. 10. Section 14B.105, subsection 1, paragraph b, Code
4 1 2003, is amended to read as follows:

4 2 b. The members appointed pursuant to paragraph "a",
4 3 subparagraphs (3) through (7), shall serve four-year staggered
4 4 terms and such appointments to the information technology
4 5 council are subject to the requirements of sections 69.16,
4 6 69.16A, and 69.19. The four-year terms of members appointed
4 7 by the governor shall be staggered as designated by the
4 8 governor. ~~Members~~ The members appointed by the governor
4 9 ~~pursuant to paragraph "a", subparagraphs (3) through (7),~~
4 10 shall not serve consecutive four-year terms. ~~Members~~ The
4 11 members appointed by the governor are subject to senate
4 12 confirmation and may also be eligible to receive compensation
4 13 as provided in section 7E.6. Members shall be reimbursed for
4 14 actual and necessary expenses incurred in performance of the
4 15 members' duties.

4 16 Sec. 11. Section 15.108, subsection 6, paragraph b,
4 17 subparagraph (1), Code 2003, is amended to read as follows:

4 18 (1) Work closely with representatives of business and
4 19 industry, labor organizations, ~~the council on human~~
4 20 ~~investment~~, the department of education, the department of
4 21 workforce development, and educational institutions to
4 22 determine the employee training needs of Iowa employers, and
4 23 where possible, provide for the development of industry=
4 24 specific training programs.

4 25 Sec. 12. Section 15E.45, subsections 1, 3, 6, and 8, Code
4 26 2003, are amended to read as follows:

4 27 1. An investment in a community-based seed
4 28 capital fund shall qualify for a tax credit under section

4 29 15E.43 provided that all requirements of sections 15E.43,
4 30 15E.44, and this section are met.

4 31 3. a. In order for an investment in a community-based
4 32 seed capital fund to qualify for a tax credit, the community=
4 33 based seed capital fund in which the investment is made shall,
4 34 within one hundred twenty days of the date of the first
4 35 investment, notify the board of all of the following:

5 1 (1) The names, addresses, taxpayer identification numbers,
5 2 equity interests issued, consideration paid for the interests,
5 3 and the amount of any tax credits, ~~of which all.~~

5 4 (2) All limited partners or members who may initially
5 5 qualify for the tax credits, ~~and the.~~

5 6 (3) The earliest year in which the tax credits may be
5 7 redeemed.

5 8 b. The list of limited partners or members who may qualify
5 9 for the tax credits shall be amended as new equity interests
5 10 are sold or as any information on the list shall change.

5 11 6. In the event that a community-based seed capital fund
5 12 fails to meet or maintain any requirement set forth in this
5 13 section, or in the event that the community-based seed capital
5 14 fund has not invested at least thirty-three percent of its
5 15 invested capital in no fewer than two separate qualifying
5 16 businesses, measured at the end of the thirty-sixth month
5 17 after commencing the fund's investing activities, the board
5 18 shall rescind any tax credit certificates issued to limited
5 19 partners or members and shall notify the department of revenue
5 20 and finance that it has done so, and the tax credit
5 21 certificates shall be null and void. However, a community=
5 22 based seed capital fund may apply to the board for a one-year
5 23 waiver ~~from~~ of the requirements of this subsection.

5 24 8. A community-based seed capital fund shall not invest in
5 25 the Iowa fund of funds, if organized pursuant to ~~2002 Iowa~~
~~5 26 Acts, House File 2078, if enacted section 15E.65.~~

5 27 Sec. 13. Section 15E.51, subsection 4, Code 2003, is
5 28 amended to read as follows:

5 29 4. A taxpayer shall not claim a tax credit under this
5 30 section if the taxpayer is a venture capital investment fund
5 31 allocation manager for the Iowa fund of funds created in
5 32 section 15E.65 or an investor that receives a tax credit for
5 33 an investment in a community-based seed capital fund as
5 34 ~~defined described~~ in ~~2002 Iowa Acts, House File 2271~~ section
5 35 15E.45.

6 1 Sec. 14. Section 15E.67, Code 2003, is amended to read as
6 2 follows:

6 3 15E.67 POWERS AND EFFECTIVENESS.

6 4 This division shall not be construed as a restriction or
6 5 limitation upon any power which the board might otherwise have
6 6 under any other law of this state and the provisions of this
6 7 division are cumulative to such powers. This division shall
6 8 be construed to provide a complete, additional, and
6 9 alternative method for performing the duties authorized and
6 10 shall be regarded as supplemental and additional to the powers
6 11 conferred by any other ~~laws~~ law. The level, timing, or degree
6 12 of success of the Iowa fund of funds or the investment funds
6 13 in which the Iowa fund of funds invests in, or the extent to
6 14 which the investment funds are invested in Iowa venture
6 15 capital projects, or are successful in accomplishing any
6 16 economic development objectives, shall not compromise,
6 17 diminish, invalidate, or affect the provisions of any contract
6 18 entered into by the board or the Iowa fund of funds.

6 19 Sec. 15. Section 15E.193C, subsection 2, unnumbered
6 20 paragraph 1, Code 2003, is amended to read as follows:

6 21 An eligible development business includes a developer or
6 22 development contractor that constructs, expands, or
6 23 rehabilitates a building space within a designated enterprise
6 24 zone with a minimum capital investment of at least five
6 25 hundred thousand dollars. A development business is eligible
6 26 to receive incentives and assistance under this section if
6 27 ~~businesses~~ a business locating into the building space ~~have~~
6 28 has not closed or reduced its operation in one area of the
6 29 state or a city and relocated substantially the same operation
6 30 in the enterprise zone. An eligible development business is
6 31 eligible for one, but not both, of the following exemptions to
6 32 the capital investment requirements:

6 33 Sec. 16. Section 16.15, subsection 4, Code 2003, is
6 34 amended to read as follows:

6 35 4. Permanent financing for units to be subsidized under
7 1 the housing assistance payments program may be provided by the
7 2 authority, directly or indirectly, by the proceeds from the
7 3 sale of bonds and notes as provided in this ~~Act~~ chapter, or by
7 4 other moneys available to the authority, by appropriations or

7 5 otherwise.

7 6 Sec. 17. Section 16.132, subsections 5 and 6, Code 2003,
7 7 are amended to read as follows:

7 8 5. The bonds or notes issued by the authority are not an
7 9 indebtedness or other liability of the state or of a political
7 10 subdivision of the state within the meaning of any
7 11 constitutional or statutory debt limitations but are special
7 12 obligations of the authority, and are payable solely from the
7 13 income and receipts or other funds or property of the
7 14 department, and the amounts on deposit in the revolving loan
7 15 funds, and the amounts payable to the department under its
7 16 loan agreements with ~~the municipalities and water systems~~
7 17 eligible entities as defined in section 455B.291 to the extent
7 18 that the amounts are designated in the resolution, trust
7 19 agreement, or other instrument of the authority authorizing
7 20 the issuance of the bonds or notes as being available as
7 21 security for such bonds or notes. The authority shall not
7 22 pledge the faith or credit of the state or of a political
7 23 subdivision of the state to the payment of any bonds or notes.
7 24 The issuance of any bonds or notes by the authority does not
7 25 directly, indirectly, or contingently obligate the state or a
7 26 political subdivision of the state to apply money from, or
7 27 levy or pledge any form of taxation whatever to the payment of
7 28 the bonds or notes.

7 29 6. The state pledges to and agrees with the holders of
7 30 bonds or notes issued under the Iowa ~~sewage treatment water~~
7 31 pollution control works and drinking water facilities
7 32 financing program, that the state will not limit or alter the
7 33 rights and powers vested in the authority to fulfill the terms
7 34 of a contract made by the authority with respect to the bonds
7 35 or notes, or in any way impair the rights and remedies of the
8 1 holders until the bonds or notes, together with the interest
8 2 on them including interest on unpaid installments of interest,
8 3 and all costs and expenses in connection with an action or
8 4 proceeding by or on behalf of the holders, are fully met and
8 5 discharged. The authority is authorized to include this
8 6 pledge and agreement of the state, as it refers to holders of
8 7 bonds or notes of the authority, in a contract with the
8 8 holders.

8 9 Sec. 18. Section 23A.2, subsection 2, unnumbered paragraph
8 10 1, Code 2003, is amended to read as follows:

8 11 The state board of regents or a school corporation may, by
8 12 rule, provide for exemption from the application of this
8 13 chapter for any of the following activities:

8 14 Sec. 19. Section 23A.2, subsection 2, paragraph c, Code
8 15 2003, is amended to read as follows:

8 16 c. Use of vehicles owned by the institution or school for
8 17 charter trips offered to the public, or to full, or part-time,
8 18 or temporary students.

8 19 Sec. 20. Section 25B.7, subsection 3, Code 2003, is
8 20 amended by striking the subsection.

8 21 Sec. 21. Section 28.4, subsection 12, paragraph e, Code
8 22 2003, is amended by striking the paragraph.

8 23 Sec. 22. Section 29B.22, unnumbered paragraph 3, Code
8 24 2003, is amended to read as follows:

8 25 Convening authorities shall at all times communicate
8 26 directly with their staff judge advocates in matters relating
8 27 to the administration of military justice; and the staff judge
8 28 advocate of any command may communicate directly with the
8 29 staff judge advocate of ~~a superior or subordinate~~ any command,
8 30 ~~or with the state judge advocate.~~

8 31 Sec. 23. Section 43.45, subsection 1, Code 2003, is
8 32 amended to read as follows:

8 33 1. Upon the closing of the polls the precinct election
8 34 officials shall immediately publicly canvass the vote. The
8 35 canvass shall be conducted using the procedures established in
9 1 ~~subsection 2 or 3, whichever is this section which are~~
9 2 appropriate for the voting system used in the precinct.

9 3 Sec. 24. Section 43.45, subsection 2, paragraph c, Code
9 4 2003, is amended to read as follows:

9 5 c. Certify ~~to~~ the number of votes cast upon the ticket of
9 6 each political party for each candidate for each office.

9 7 Sec. 25. Section 45.5, subsection 1, paragraph c, Code
9 8 2003, is amended to read as follows:

9 9 c. A statement that the candidate is or will be a resident
9 10 of the appropriate ward, city, county, school district, or
9 11 legislative or other district as required by section ~~45.1~~
9 12 39.27.

9 13 Sec. 26. Section 45.5, subsection 1, unnumbered paragraph
9 14 2, Code 2003, is amended to read as follows:

9 15 Signatures on a petition page shall be counted only if the

9 16 required information is written or printed at the top of the
9 17 page. Nomination papers on behalf of candidates for seats in
9 18 the general assembly need only designate the number of the
9 19 senatorial or representative district, as appropriate, and not
9 20 the county or counties, in which the candidate and the
9 21 petitioners reside. ~~Signature lines on the A signature line~~
9 22 ~~in a nomination petitions petition~~ shall not be counted if the
9 23 line lacks the signature of the eligible elector and the
9 24 signer's address and city. The person examining the petition
9 25 shall mark any deficiencies on the petition.

9 26 Sec. 27. Section 48A.29, subsection 3, unnumbered
9 27 paragraph 2, Code 2003, is amended to read as follows:

9 28 The notice shall be sent by forwardable mail, and shall
9 29 include a postage paid preaddressed return card on which the
9 30 registered voter may state the registered voter's current
9 31 address. The notice shall contain a statement in
9 32 substantially the following form: "Information received from
9 33 the United States postal service indicates that you are no
9 34 longer a resident of (residence address) in (name of county)
9 35 County, Iowa. If this information is not correct, and you
10 1 still live in (name of county) County, please complete and
10 2 mail the attached postage paid card at least ten days before
10 3 the primary or general election and at least eleven days
10 4 before any other election at which you wish to vote. If the
10 5 information is correct, and you have moved, please contact a
10 6 local official in your new area for assistance in registering
10 7 there. If you do not mail in the card, you may be required to
10 8 show identification ~~proving your residence in (name of county)~~
10 9 ~~County~~ before being allowed to vote in (name of county)
10 10 County. If you do not return the card, and you do not vote in
10 11 some election in (name of county) County, Iowa, on or before
10 12 (date of second general election following the date of the
10 13 notice) your name will be removed from the list of voters in
10 14 that county."

10 15 Sec. 28. Section 49.71, unnumbered paragraph 1, Code 2003,
10 16 is amended to read as follows:

10 17 The precinct election officials, before the opening of the
10 18 polls, shall cause ~~said cards of the~~ instructions for voters
10 19 required pursuant to section 49.70 to be securely posted as
10 20 follows:

10 21 Sec. 29. Section 56.4, subsection 1, Code 2003, is amended
10 22 to read as follows:

10 23 1. All statements and reports required to be filed under
10 24 this chapter shall be filed with the board. The board shall
10 25 provide copies of all statements and reports filed under this
10 26 chapter for a county, city, school, or other political
10 27 subdivision ~~with~~ to the commissioner responsible under section
10 28 47.2.

10 29 Sec. 30. Section 80.22, Code 2003, is amended to read as
10 30 follows:

10 31 80.22 PROHIBITION ON OTHER DEPARTMENTS.

10 32 All other departments and bureaus of the state are hereby
10 33 prohibited from employing special peace officers or conferring
10 34 upon regular employees any police powers to enforce provisions
10 35 of the statutes, which are specifically reserved by ~~this Act~~
11 1 1939 Iowa Acts, chapter 120, to this the department of public
11 2 safety. But the commissioner of public safety shall, upon the
11 3 requisition of the attorney general, from time to time assign
11 4 for service in the department of justice such of its officers,
11 5 not to exceed six in number, as may be requisitioned by the
11 6 attorney general for special service in the department of
11 7 justice, and when so assigned such officers shall be under the
11 8 exclusive direction and control of the attorney general.

11 9 Sec. 31. Section 97B.17, subsections 3 and 4, Code 2003,
11 10 are amended to read as follows:

11 11 3. Summary information concerning the demographics of the
11 12 members and general statistical information concerning the
11 13 system are subject to chapter 22, as well as aggregate
11 14 information by category.

11 15 4. a. However, the The division's records are evidence
11 16 for the purpose of proceedings before the division or any
11 17 court of the amounts of wages and the periods in which they
11 18 were paid, and the absence of an entry as to a member's wages
11 19 in the records for any period is evidence that wages were not
11 20 paid that member in the period.

11 21 ~~4. b.~~ Notwithstanding any provisions of chapter 22 to the
11 22 contrary, the division's records may be released to any
11 23 political subdivision, instrumentality, or other agency of the
11 24 state solely for use in a civil or criminal law enforcement
11 25 activity pursuant to the requirements of this subsection. To
11 26 obtain the records, the political subdivision,

11 27 instrumentality, or agency shall, in writing, certify that the
11 28 activity is authorized by law, provide a written description
11 29 of the information desired, and describe the law enforcement
11 30 activity for which the information is sought. The division
11 31 shall not be civilly or criminally liable for the release or
11 32 rerelease of records in accordance with this subsection.

11 33 Sec. 32. Section 97B.42C, Code 2003, is amended to read as
11 34 follows:

11 35 97B.42C RETIREMENT SYSTEM MERGER == MUNICIPAL UTILITY
12 1 RETIREMENT SYSTEM.

12 2 A municipal water utility or waterworks that has
12 3 established a pension and annuity retirement system for its
12 4 employees pursuant to chapter 412 may adopt a resolution to
12 5 authorize the merger of its pension and annuity retirement
12 6 system with and into the Iowa public employees' retirement
12 7 system. The system is authorized, but is not required, to
12 8 accept such a proposal. The governing body of the municipal
12 9 water utility or waterworks and the Iowa public employees'
12 10 retirement system shall, acting in their fiduciary capacities,
12 11 mutually determine the terms and conditions of such a merger,
12 12 including any additional funds necessary to fund the service
12 13 credits being transferred to the Iowa public employees'
12 14 retirement system, and either party may decline the merger if
12 15 they cannot agree on such terms and conditions. The ~~system~~
12 16 division shall adopt such rules as it deems necessary and
12 17 prudent to effectuate mergers as provided by this section.

12 18 Sec. 33. Section 99B.7, subsection 1, paragraph o, Code
12 19 2003, is amended to read as follows:

12 20 o. ~~Except as provided in subsection 7, paragraph "a", a A~~
12 21 person shall not conduct, promote, administer, or assist in
12 22 the conducting, promoting, or administering of a bingo
12 23 occasion, unless the person regularly participates in
12 24 activities of the qualified organization other than conducting
12 25 bingo occasions or participates in an educational, civic,
12 26 public, charitable, patriotic, or religious organization to
12 27 which the net receipts are dedicated by the qualified
12 28 organization.

12 29 Sec. 34. Section 99B.12, subsection 2, paragraph a, Code
12 30 2003, is amended to read as follows:

12 31 a. Card and parlor games, including but not limited to
12 32 poker, pinochle, pitch, gin rummy, bridge, euchre, hearts,
12 33 cribbage, dominoes, checkers, chess, backgammon, pool, and
12 34 darts. However, it shall be unlawful gambling for any person
12 35 to engage in bookmaking, or to play any punchboard, pushcard,
13 1 pull-tab, or slot machine, or to play craps, chuck=~~a~~=luck,
13 2 roulette, klondike, blackjack, chemin de fer, baccarat, faro,
13 3 equality, three-card monte, or any other game, except poker,
13 4 which is customarily played in gambling casinos and in which
13 5 the house customarily provides a banker, dealer, or croupier
13 6 to operate the game, or a specially designed table upon which
13 7 to play ~~same the game~~.

13 8 Sec. 35. Section 99F.1, Code 2003, is amended by adding
13 9 the following new subsection:

13 10 NEW SUBSECTION. 5A. "Division" means the division of
13 11 criminal investigation of the department of public safety as
13 12 provided in section 80.17.

13 13 Sec. 36. Section 124C.1, subsection 1, Code 2003, is
13 14 amended by striking the subsection.

13 15 Sec. 37. Section 135.11, subsection 17, Code 2003, is
13 16 amended to read as follows:

13 17 17. Administer chapters 125, 136A, 136C, 139A, 142, 142A,
13 18 144, and 147A.

13 19 Sec. 38. Section 137F.1, subsection 8, paragraph e, Code
13 20 2003, is amended to read as follows:

13 21 e. Premises where a person operates a farmers market, if
13 22 ~~the person does not sell or distribute potentially hazardous~~
13 23 ~~food potentially hazardous food is not sold or distributed~~
13 24 from the premises.

13 25 Sec. 39. Section 153.33, subsection 5, unnumbered
13 26 paragraph 1, Code 2003, is amended to read as follows:

13 27 In any investigation made or hearing conducted by the board
13 28 on its own motion, or upon written complaint filed with the
13 29 board by any person, pertaining to any alleged violation of
13 30 this chapter or the accusation against any licensee or
13 31 registrant, the following procedure and rules so far as
13 32 material to such investigation or hearing shall obtain:

13 33 Sec. 40. Section 153.33, subsection 5, paragraphs a, b, d,
13 34 and h, Code 2003, are amended to read as follows:

13 35 a. The accusation of such person against any licensee or
14 1 registrant shall be reduced to writing, verified by some
14 2 person familiar with the facts therein stated, and three

14 3 copies thereof filed with the board.

14 4 b. If the board shall deem the charges sufficient, if
14 5 true, to warrant suspension or revocation of license or
14 6 registration, it shall make an order fixing the time and place
14 7 for hearing thereon and requiring the licensee or registrant
14 8 to appear and answer thereto, such order, together with a copy
14 9 of the charges so made to be served upon the accused at least
14 10 twenty days before the date fixed for hearing, either
14 11 personally or by certified or registered mail, sent to the
14 12 licensee's or registrant's last known post office address as
14 13 shown by the records of the board.

14 14 d. In all such investigations and hearings pertaining to
14 15 the suspension or revocation of licenses or registrations, the
14 16 board and any person affected thereby may have the benefit of
14 17 counsel, and upon the request of the licensee or registrant or
14 18 the licensee's or registrant's counsel the board shall issue
14 19 subpoenas for the attendance of such witnesses in behalf of
14 20 the licensee or registrant, which subpoenas when issued shall
14 21 be delivered to the licensee or registrant or the licensee's
14 22 or registrant's counsel. Such subpoenas for the attendance of
14 23 witnesses shall be effective if served upon the person named
14 24 therein anywhere within this state, provided, that at the time
14 25 of such service the fees now or hereafter provided by law for
14 26 witnesses in civil cases in district court shall be paid or
14 27 tendered to such person.

14 28 h. Pending the review and final disposition thereof by the
14 29 district court, the action of the board suspending or revoking
14 30 such license or registration shall not be stayed.

14 31 Sec. 41. Section 159.6, subsection 8, as amended by 2002
14 32 Iowa Acts, chapter 1017, section 2, is amended to read as
14 33 follows:

14 34 8. State aid received by certain associations as provided
14 35 in chapters ~~177~~ 176A through 182, 186, and 352.

15 1 Sec. 42. Section 159A.3, subsection 4, Code 2003, is
15 2 amended by striking the subsection.

15 3 Sec. 43. Section 159A.3, subsection 5, Code 2003, is
15 4 amended to read as follows:

15 5 5. The office and state entities, including the
15 6 department, the committee, the Iowa department of economic
15 7 development, the state department of transportation, the
15 8 department of natural resources, and the state board of
15 9 regents institutions, ~~and the Wallace technology transfer~~
15 10 ~~foundation of Iowa~~, shall cooperate to implement this section.

15 11 Sec. 44. Section 173.3, as amended by 2002 Iowa Acts,
15 12 chapter 1017, section 3, is amended to read as follows:

15 13 173.3 CERTIFICATION OF STATE AID ASSOCIATIONS.

15 14 On or before November 15 of each year, the secretary of
15 15 agriculture shall certify to the secretary of the state fair
15 16 board the names of the various associations and societies
15 17 which have qualified for state aid under the provisions of
15 18 chapters ~~177~~ 176A through 178, 181, 182, 186, and 352, and
15 19 which are entitled to representation in the convention as
15 20 provided in section 173.2.

15 21 Sec. 45. Section 192.101A, unnumbered paragraph 1, Code
15 22 2003, is amended to read as follows:

15 23 As used in this chapter, all terms shall have the same
15 24 meaning as defined in the "Grade 'A' Pasteurized Milk
15 25 Ordinance, ~~1999~~ 2001 Revision". However, notwithstanding the
15 26 ordinance, the following definitions shall apply:

15 27 Sec. 46. Section 192.102, Code 2003, is amended to read as
15 28 follows:

15 29 192.102 GRADE "A" PASTEURIZED MILK ORDINANCE.

15 30 The department shall adopt, by rule, the "Grade 'A'
15 31 Pasteurized Milk Ordinance, ~~1999~~ 2001 Revision", including a
15 32 subsequent revision of the ordinance. If the ordinance
15 33 specifies that compliance with a provision of the ordinance's
15 34 appendices is mandatory, the department shall also adopt that
15 35 provision. The department shall not amend the ordinance,
16 1 unless the department explains each amendment and reasons for
16 2 the amendment in the Iowa administrative bulletin when the
16 3 rules are required to be published pursuant to chapter 17A.
16 4 The department shall administer this chapter consistent with
16 5 the provisions of the ordinance.

16 6 Sec. 47. Section 192.110, subsection 1, Code 2003, is
16 7 amended to read as follows:

16 8 1. The person has a pasteurized milk and milk products
16 9 sanitation compliance rating of ninety percent or more as
16 10 calculated according to the rating system as contained in the
16 11 federal public health service publications, "Procedures
16 12 Governing the Cooperative State=Public Health Service/Food and
16 13 Drug Administration Program for Certification of Interstate

16 14 Milk Shippers ~~1999~~ 2001" and "Method of Making Sanitation
16 15 Ratings of Milk Supplies, ~~1999~~ 2001 Revision". The applicable
16 16 provisions of these publications are incorporated into this
16 17 section by this reference. A copy of each publication shall
16 18 be on file with the department or in the office of the person
16 19 subject to an inspection contract as provided in section
16 20 192.108.

16 21 Sec. 48. Section 229A.8A, subsection 2, paragraph g, Code
16 22 2003, is amended to read as follows:

16 23 g. The committed person is not likely to commit predatory
16 24 acts constituting sexually violent offenses while in the
16 25 program.

16 26 Sec. 49. Section 229A.10, subsection 1, Code 2003, is
16 27 amended to read as follows:

16 28 1. If the director of human services determines that the
16 29 person's mental abnormality has so changed that the person is
16 30 not likely to ~~commit~~ engage in predatory acts or that
16 31 constitute sexually violent offenses if discharged, the
16 32 director shall authorize the person to petition the court for
16 33 discharge. The petition shall be served upon the court and
16 34 the attorney general. The court, upon receipt of the petition
16 35 for discharge, shall order a hearing within thirty days. The
17 1 attorney general shall represent the state, and shall have the
17 2 right to have the petitioner examined by an expert or
17 3 professional person of the attorney general's choice. The
17 4 hearing shall be before a jury if demanded by either the
17 5 petitioner or the attorney general. If the attorney general
17 6 objects to the petition for discharge, the burden of proof
17 7 shall be upon the attorney general to show beyond a reasonable
17 8 doubt that the petitioner's mental abnormality or personality
17 9 disorder remains such that the petitioner is likely to engage
17 10 in predatory acts that constitute sexually violent offenses if
17 11 discharged.

17 12 Sec. 50. Section 232.68, unnumbered paragraph 1, Code
17 13 2003, is amended to read as follows:

17 14 The definitions in section 235A.13 are applicable to this
17 15 part 2 of division III. As used in sections 232.67 through
17 16 232.77 and 235A.12 through ~~235A.23~~ 235A.24, unless the context
17 17 otherwise requires:

17 18 Sec. 51. Section 232.71B, subsection 4, paragraph e, Code
17 19 2003, is amended to read as follows:

17 20 e. An interview of the person alleged to have committed
17 21 the child abuse, if the person's identity and location are
17 22 known. The offer of an interview shall be made to the person
17 23 prior to any consideration or determination being made that
17 24 the person committed the alleged abuse. The purpose of the
17 25 interview shall be to provide the person with the opportunity
17 26 to explain or rebut the allegations of the child abuse report
17 27 or other allegations made during the assessment. The court
17 28 may waive the requirement to offer the interview only for good
17 29 cause. The person offered an interview or the person's
17 30 attorney may ~~decline to be interviewed~~ the offer of an
17 31 interview of the person.

17 32 Sec. 52. Section 235A.13, unnumbered paragraph 1, Code
17 33 2003, is amended to read as follows:

17 34 As used in chapter 232, division III, part 2, and sections
17 35 235A.13 to ~~235A.23~~ 235A.24, unless the context otherwise
18 1 requires:

18 2 Sec. 53. Section 236.2, Code 2003, is amended by adding
18 3 the following new subsection:

18 4 NEW SUBSECTION. 5A. "Plaintiff" includes a person filing
18 5 an action on behalf of an unemancipated minor.

18 6 Sec. 54. Section 236.3, subsection 2, Code 2003, is
18 7 amended to read as follows:

18 8 2. Name and address of the parent or guardian filing the
18 9 petition, if the petition is being filed on behalf of an
18 10 unemancipated minor. ~~For the purposes of this chapter,~~
18 11 ~~"plaintiff" includes a person filing an action on behalf of an~~
18 12 ~~unemancipated minor.~~ A mailing address may be provided by the
18 13 plaintiff pursuant to section 236.10.

18 14 Sec. 55. Section 237A.29, subsection 2, paragraph d, Code
18 15 2003, is amended to read as follows:

18 16 d. In determining the value of the public funding obtained
18 17 by fraudulent means, if the public funding is obtained by two
18 18 or more acts of fraudulent means by the same person or in the
18 19 same location, or is obtained by different persons by two or
18 20 more acts which occur in approximately the same location or
18 21 time period so that the acts of fraudulent means used to
18 22 obtain the public funding are attributable to a single scheme,
18 23 plan, or conspiracy, these acts may be considered as a single
18 24 instance of the use of fraudulent means and the value may be

18 25 the total value of all moneys involved.

18 26 Sec. 56. Section 237A.29, subsection 3, paragraph b, Code
18 27 2003, is amended to read as follows:

18 28 b. In addition to applying the suspension under paragraph
18 29 "a", the department may request that the attorney general file
18 30 a petition with the district court of the county in which the
18 31 provider is located for issuance of a temporary injunction
18 32 enjoining the provider from providing child care until the
18 33 names and addresses are submitted to the department. The
18 34 attorney general may file the petition upon receiving the
18 35 request from the department. Any temporary injunction may be
19 1 granted without a bond being required from the department.

19 2 Sec. 57. Section 277.23, subsection 2, Code 2003, is
19 3 amended to read as follows:

19 4 2. A change from five to seven directors shall be effected
19 5 in a district at the first regular election after
19 6 authorization by the voters or the board, or ~~when after a~~
19 7 ~~district becomes wholly or in part within first includes all~~
19 8 ~~of a city of fifteen thousand or more population, or more in~~
19 9 the manner described in section 275.37.

19 10 Sec. 58. Section 284.11, subsection 2, Code 2003, is
19 11 amended to read as follows:

19 12 2. All licensed practitioners employed at a participating
19 13 attendance center that has demonstrated improvement in student
19 14 achievement shall share in ~~a cash awards~~ award paid from
19 15 moneys received by a school district pursuant to section
19 16 284.13, subsection 1. ~~The However, the~~ school district is
19 17 encouraged to extend cash awards to other staff employed at
19 18 the attendance center.

19 19 Sec. 59. Section 321E.8, Code 2003, is amended to read as
19 20 follows:

19 21 321E.8 ANNUAL PERMITS.

19 22 Subject to the discretion and judgment provided for in
19 23 section 321E.1, annual permits shall be issued in accordance
19 24 with the following provisions:

19 25 1. Vehicles with indivisible loads, or manufactured or
19 26 mobile homes including appurtenances, having an overall width
19 27 not to exceed sixteen feet zero inches, an overall length not
19 28 to exceed one hundred twenty feet zero inches, an overall
19 29 height not to exceed fifteen feet five inches, and a total
19 30 gross weight not to exceed eighty thousand pounds, may be
19 31 moved as follows:

19 32 a. Vehicles with indivisible loads, or manufactured or
19 33 mobile homes including appurtenances, having an overall width
19 34 not to exceed twelve feet five inches, an overall length not
19 35 to exceed one hundred twenty feet zero inches, and an overall
20 1 height not to exceed thirteen feet ten inches may be moved for
20 2 unlimited distances without route approval from the permitting
20 3 authority.

20 4 b. Vehicles with indivisible loads, or manufactured or
20 5 mobile homes including appurtenances, having an overall width
20 6 not to exceed fourteen feet six inches, an overall length not
20 7 to exceed one hundred twenty feet zero inches, and an overall
20 8 height not to exceed fifteen feet five inches may be moved on
20 9 the interstate highway system and primary highways with more
20 10 than one lane traveling in each direction for unlimited
20 11 distances and no more than fifty miles from the point of
20 12 origin on all other highways without route approval from the
20 13 permit issuing authority.

20 14 c. All other vehicles with indivisible loads operating
20 15 under this subsection shall obtain route approval from the
20 16 permitting authority.

20 17 d. Vehicles with indivisible loads may operate under an
20 18 all=systems permit in compliance with paragraph "a", "b", or
20 19 "c".

20 20 2. Vehicles with indivisible loads, or manufactured or
20 21 mobile homes including appurtenances, having an overall width
20 22 not to exceed thirteen feet five inches and an overall length
20 23 not to exceed one hundred twenty feet zero inches may be moved
20 24 on highways specified by the permitting authority for
20 25 unlimited distances if the height of the vehicle and load does
20 26 not exceed fifteen feet five inches and the total gross weight
20 27 of the vehicle does not exceed one hundred fifty=six thousand
20 28 pounds. The vehicle owner or operator shall verify with the
20 29 permitting authority prior to movement of the load that
20 30 highway conditions have not changed so as to prohibit movement
20 31 of the vehicle. Any cost to repair damage to highways or
20 32 highway structures shall be borne by the owner or operator of
20 33 the vehicle causing the damage. Permitted vehicles under this
20 34 subsection shall not be allowed to travel on any portion of
20 35 the interstate highway system. Vehicles with indivisible

21 1 loads operating under the permit provisions of this subsection
21 2 may operate under the permit provisions of subsection 1
21 3 provided the vehicle and load comply with the limitations
21 4 described in subsection 1.

21 5 Sec. 60. Section 321G.4, unnumbered paragraph 1, Code
21 6 2003, is amended to read as follows:

21 7 The owner of each all-terrain vehicle or snowmobile
21 8 required to be numbered shall register it every two years with
21 9 the county recorder of the county in which the owner resides
21 10 or, if the owner is a nonresident, the owner shall register it
21 11 in the county in which the all-terrain vehicle or snowmobile
21 12 is principally used. The commission has supervisory
21 13 responsibility over the registration of all-terrain vehicles
21 14 and snowmobiles and shall provide each county recorder with
21 15 registration forms and certificates and shall allocate
21 16 ~~identification registration~~ numbers to each county.

21 17 Sec. 61. Section 321G.19, subsection 1, Code 2003, is
21 18 amended to read as follows:

21 19 1. The owner of a rented all-terrain vehicle or snowmobile
21 20 shall keep a record of the name and address of each person
21 21 renting the all-terrain vehicle or snowmobile, its
21 22 ~~identification registration~~ number, the departure date and
21 23 time, and the expected time of return. The records shall be
21 24 preserved for six months.

21 25 Sec. 62. Section 321G.33, subsections 1, 2, and 4, Code
21 26 2003, are amended to read as follows:

21 27 1. The department may assign a distinguishing number to an
21 28 all-terrain vehicle or snowmobile when the serial number on
21 29 the all-terrain vehicle or snowmobile is destroyed or
21 30 obliterated and issue to the owner a special plate bearing the
21 31 distinguishing number which shall be affixed to the all-
21 32 terrain vehicle or snowmobile in a position to be determined
21 33 by the department. The all-terrain vehicle or snowmobile
21 34 shall be registered and titled under the distinguishing number
21 35 in lieu of the former serial number. Every all-terrain
22 1 vehicle or snowmobile shall have ~~an a vehicle~~ identification
22 2 number assigned and affixed as required by the department.

22 3 2. The commission shall adopt, by rule, the procedures for
22 4 application and for issuance of ~~an a vehicle~~ identification
22 5 number for homebuilt all-terrain vehicles or snowmobiles.

22 6 4. A person other than a manufacturer who constructs or
22 7 rebuilds an all-terrain vehicle or snowmobile for which there
22 8 is no legible vehicle identification number shall submit to
22 9 the department an affidavit which describes the all-terrain
22 10 vehicle or snowmobile. In cooperation with the county
22 11 recorder, the department shall assign ~~an a vehicle~~
22 12 identification number to the all-terrain vehicle or
22 13 snowmobile. The applicant shall permanently affix the vehicle
22 14 identification number to the all-terrain vehicle or snowmobile
22 15 in a manner that such alteration, removal, or replacement of
22 16 the vehicle identification number would be obvious.

22 17 Sec. 63. Section 446.9, subsections 1 and 2, Code 2003,
22 18 are amended to read as follows:

22 19 1. A notice of the date, time, and place of the annual tax
22 20 sale shall be served upon the person in whose name the parcel
22 21 subject to sale is taxed. The county treasurer shall serve
22 22 the notice by sending it by regular first class mail to the
22 23 person's last known address not later than May 1 of each
22 24 fiscal year. The notice shall contain a description of the
22 25 parcel to be sold which is clear, concise, and sufficient to
22 26 distinguish the parcel to be sold from all other parcels. It
22 27 shall also contain the amount of delinquent taxes for which
22 28 the parcel is liable each year, the amount of the interest,
22 29 and fees, and the amount of the service fee as provided in
22 30 section 446.10, subsection 2, all to be incorporated as a
22 31 single sum. The notice shall contain a statement that, after
22 32 the sale, if the parcel is not redeemed within the period
22 33 provided in chapter 447, the right to redeem expires and a
22 34 deed may be issued.

22 35 2. Publication of the date, time, and place of the annual
23 1 tax sale shall be made once by the treasurer in at least one
23 2 official newspaper in the county as selected by the board of
23 3 supervisors and designated by the treasurer at least one week,
23 4 but not more than three weeks, before the day of sale. The
23 5 publication shall contain a description of the parcel to be
23 6 sold that is clear, concise, and sufficient to distinguish the
23 7 parcel to be sold from all other parcels. All items offered
23 8 for sale pursuant to section 446.18 may be indicated by an "s"
23 9 or by an asterisk. The publication shall also contain the
23 10 name of the person in whose name the parcel to be sold is
23 11 taxed, and the amount delinquent for which the parcel is

23 12 liable each year, the amount of the interest, ~~and~~ fees, and
23 13 the amount of the service fee as provided in section 446.10,
23 14 subsection 2, all to be incorporated as a single sum. The
23 15 publication shall contain a statement that, after the sale, if
23 16 the parcel is not redeemed within the period provided in
23 17 chapter 447, the right to redeem expires and a deed may be
23 18 issued.

23 19 Sec. 64. Section 455B.105, subsection 3, Code 2003, is
23 20 amended to read as follows:

23 21 3. Adopt, modify, or repeal rules necessary to implement
23 22 this chapter and chapter 459, ~~subchapters I, II, III, IV, and~~
~~23 23 VI,~~ and the rules deemed necessary for the effective
23 24 administration of the department. When the commission
23 25 proposes or adopts rules to implement a specific federal
23 26 environmental program and the rules impose requirements more
23 27 restrictive than the federal program being implemented
23 28 requires, the commission shall identify in its notice of
23 29 intended action or adopted rule preamble each rule that is
23 30 more restrictive than the federal program requires and shall
23 31 state the reasons for proposing or adopting the more
23 32 restrictive requirement. In addition, the commission shall
23 33 include with its reasoning a financial impact statement
23 34 detailing the general impact upon the affected parties. It is
23 35 the intent of the general assembly that the commission
24 1 exercise strict oversight of the operations of the department.
24 2 The rules shall include departmental policy relating to the
24 3 disclosure of information on a violation or alleged violation
24 4 of the rules, standards, permits or orders issued by the
24 5 department and keeping of confidential information obtained by
24 6 the department in the administration and enforcement of this
24 7 chapter and chapter 459, ~~subchapters I, II, III, IV, and VI.~~
24 8 Rules adopted by the executive committee before January 1,
24 9 1981, shall remain effective until modified or rescinded by
24 10 action of the commission.

24 11 Sec. 65. Section 455B.171, subsection 15, Code 2003, is
24 12 amended by striking the subsection.

24 13 Sec. 66. Section 455B.183, Code 2003, is amended to read
24 14 as follows:

24 15 455B.183 WRITTEN PERMITS REQUIRED.

24 16 1. It is unlawful to carry on any of the following
24 17 activities without first securing a written permit from the
24 18 director, or from a city or county public works department if
24 19 the public works department reviews the activity under this
24 20 section, as required by the department:

24 21 ~~1- a.~~ a. The construction, installation, or modification of
24 22 any disposal system or public water supply system or part
24 23 thereof or any extension or addition thereto except those
24 24 sewer extensions and water supply distribution system
24 25 extensions that are subject to review and approval by a city
24 26 or county public works department pursuant to this section,
24 27 the use or disposal of sewage sludge, and private sewage
24 28 disposal systems. Unless federal law or regulation requires
24 29 the review and approval of plans and specifications, a permit
24 30 shall be issued for the construction, installation, or
24 31 modification of a public water supply system or part of a
24 32 system if a qualified, registered engineer certifies to the
24 33 department that the plans for the system or part of the system
24 34 meet the requirements of state and federal law or regulations.
24 35 The permit shall state that approval is based only upon the
25 1 engineer's certification that the system's design meets the
25 2 requirements of all applicable state and federal laws and
25 3 regulations and the review of the department shall be
25 4 advisory.

25 5 ~~2- b.~~ b. The construction or use of any new point source for
25 6 the discharge of any pollutant into any water of the state.

25 7 ~~3- c.~~ c. The operation of any waste disposal system or public
25 8 water supply system or any part of or extension or addition to
25 9 the system. This provision does not apply to a pretreatment
25 10 system, the effluent of which is to be discharged directly to
25 11 another disposal system for final treatment and disposal; a
25 12 semipublic sewage disposal system, the construction of which
25 13 has been approved by the department and which does not
25 14 discharge into water of the state; or a private sewage
25 15 disposal system which does not discharge into a water of the
25 16 state. Sludge from a semipublic or private sewage disposal
25 17 system shall be disposed of in accordance with the rules
25 18 adopted by the department pursuant to chapter 17A. The
25 19 exemption of this paragraph shall not apply to any industrial
25 20 waste discharges.

25 21 2. Upon adoption of standards by the commission pursuant
25 22 to section 455B.173, subsections 5 to 8, plans and

25 23 specifications for sewer extensions and water supply
25 24 distribution system extensions covered by this section shall
25 25 be submitted to the city or county public works department for
25 26 approval if the local public works department employs a
25 27 qualified, registered engineer who reviews the plans and
25 28 specifications using the specific state standards known as the
25 29 Iowa Standards for Sewer Systems and the Iowa Standards for
25 30 Water Supply Distribution Systems that have been formulated
25 31 and adopted by the department pursuant to section 455B.173,
25 32 subsections 5 to 8. The local agency shall issue a written
25 33 permit to construct if all of the following apply:

25 34 a. The submitted plans and specifications are in
25 35 substantial compliance with departmental rules and the Iowa
26 1 Standards for Sewer Systems and the Iowa Standards for Water
26 2 Supply Distribution Systems.

26 3 b. The extensions primarily serve residential consumers
26 4 and will not result in an increase greater than five percent
26 5 of the capacity of the treatment works or serve more than two
26 6 hundred fifty dwelling units or, in the case of an extension
26 7 to a water supply distribution system, the extension will have
26 8 a capacity of less than five percent of the system or will
26 9 serve fewer than two hundred fifty dwelling units.

26 10 c. The proposed sewer extension will not exceed the
26 11 capacity of any treatment works which received a state or
26 12 federal monetary grant after 1972.

26 13 d. The proposed water supply distribution system extension
26 14 will not exceed the production capacity of any public water
26 15 supply system constructed after 1972.

26 16 3. After issuing a permit, the city or county public works
26 17 department shall notify the director of such issuance by
26 18 forwarding a copy of the permit to the director. In addition,
26 19 the local agency shall submit quarterly reports to the
26 20 director including such information as capacity of local
26 21 treatment plants and production capacity of public water
26 22 supply systems as well as other necessary information
26 23 requested by the director for the purpose of implementing this
26 24 chapter.

26 25 4. Plans and specifications for all other waste disposal
26 26 systems and public water supply systems, including sewer
26 27 extensions and water supply distribution system extensions not
26 28 reviewed by a city or county public works department under
26 29 this section, shall be submitted to the department before a
26 30 written permit may be issued. Plans and specifications for
26 31 public water supply systems and water supply distribution
26 32 system extensions must be certified by a registered engineer
26 33 as provided in subsection 1, paragraph "a". The construction
26 34 of any such waste disposal system or public water supply
26 35 system shall be in accordance with standards formulated and
27 1 adopted by the department pursuant to section 455B.173,
27 2 subsections 5 to 8. If it is necessary or desirable to make
27 3 material changes in the plans or specifications, revised plans
27 4 or specifications together with reasons for the proposed
27 5 changes must be submitted to the department for a supplemental
27 6 written permit. The revised plans and specifications for a
27 7 public water supply system must be certified by a registered
27 8 engineer as provided in subsection 1, paragraph "a".

27 9 5. Prior to the adoption of statewide standards, the
27 10 department may delegate the authority to review plans and
27 11 specifications to those governmental subdivisions if in
27 12 addition to compliance with subsection 3, paragraph "c", the
27 13 governmental subdivisions agree to comply with all state and
27 14 federal regulations and submit plans for the review of plans
27 15 and specifications including a complete set of local standard
27 16 specifications for such improvements.

27 17 6. The director may suspend or revoke delegation of review
27 18 and permit authority after notice and hearing as set forth in
27 19 chapter 17A if the director determines that a city or county
27 20 public works department has approved extensions which do not
27 21 comply with design criteria, which exceed the capacity of
27 22 waste treatment plants or the production capacity of public
27 23 water supply systems or which otherwise violate state or
27 24 federal requirements.

27 25 7. The department shall exempt any public water supply
27 26 system from any requirement respecting a maximum contaminant
27 27 level or any treatment technique requirement of an applicable
27 28 national drinking water regulation if these regulations apply
27 29 to contaminants which the department determines are harmless
27 30 or beneficial to the health of consumers and if the owner of a
27 31 public water supply system determines that funds are not
27 32 reasonably available to provide for controlling amounts of
27 33 those contaminants which are harmless or beneficial to the

27 34 health of consumers.

27 35 Sec. 67. Section 455B.187, unnumbered paragraph 1, Code
28 1 2003, is amended to read as follows:

28 2 A contractor shall not engage in well construction or
28 3 reconstruction without first ~~registering or~~ being certified as
28 4 required in this part and department rules adopted pursuant to
28 5 this part. ~~If a well contractor is registered prior to July~~
28 6 ~~1, 1991, the well contractor shall meet the requirements of~~
28 7 ~~certification by July 1, 1993. Following adoption of the~~
28 8 ~~rules establishing a well contractor certification program, a~~
28 9 ~~person seeking initial well contractor status shall meet the~~
28 10 ~~requirements established for certification. Beginning July 1,~~
28 11 ~~1993, the department shall replace the registration program~~
28 12 ~~with the well certification program. Water wells shall not be~~
28 13 ~~constructed, reconstructed, or abandoned by a person except as~~
28 14 ~~provided in this part or rules adopted pursuant to this part.~~
28 15 Within thirty days after construction or reconstruction of a
28 16 well, a contractor shall provide well information required by
28 17 rule to the department and the Iowa geological survey.

28 18 Sec. 68. Section 455D.11I, subsection 4, Code 2003, is
28 19 amended to read as follows:

28 20 4. A certificate of registration shall at all times be
28 21 carried and displayed in the vehicle used for transportation
28 22 of waste tires and shall be shown to a representative of the
28 23 department of natural resources or the state department of
28 24 transportation, upon request. The state department of
28 25 transportation may inspect vehicles used for the
28 26 transportation of waste tires and request that the certificate
28 27 of registration of the waste tire hauler be shown, ~~upon~~
28 28 ~~request.~~

28 29 Sec. 69. Section 457A.2, subsection 2, Code 2003, is
28 30 amended to read as follows:

28 31 2. "Natural and cultural resources" includes, but is not
28 32 limited to, archaeological and historical resources.

28 33 Sec. 70. Section 459.102, subsection 18, Code 2003, is
28 34 amended to read as follows:

28 35 18. ~~Reserved~~ "Department" means the department of natural
29 1 resources created pursuant to section 455A.2.

29 2 Sec. 71. Section 459.102, subsection 40, Code 2003, is
29 3 amended to read as follows:

29 4 40. "Restricted spray irrigation equipment" means spray
29 5 irrigation equipment which disperses manure through an orifice
29 6 at a rate maximum pressure of eighty pounds per square inch or
29 7 more.

29 8 Sec. 72. Section 459.301, subsection 1, paragraph a, Code
29 9 2003, is amended to read as follows:

29 10 a. At least one confinement feeding operation structure
29 11 must be constructed on ~~and~~ or after May 21, 1998.

29 12 Sec. 73. Section 459.303, subsection 2, Code 2003, is
29 13 amended to read as follows:

29 14 2. The department shall issue a construction permit upon
29 15 approval of an application. The department shall approve the
29 16 application if the application is submitted to the county
29 17 board of supervisors in the county where the proposed
29 18 confinement feeding operation structure is to be located as
29 19 required pursuant to section 459.304, and the application
29 20 meets the requirements of this chapter. If a county submits
29 21 an approved recommendation pursuant to a construction
29 22 evaluation resolution filed with the department, the
29 23 application must also achieve a satisfactory rating produced
29 24 by the master matrix used by the board or department under
29 25 section 459.304. The department shall approve the application
29 26 regardless of whether the applicant is required to be issued a
29 27 construction permit.

29 28 Sec. 74. Section 459.309, Code 2003, is amended to read as
29 29 follows:

29 30 459.309 SETTLED OPEN FEEDLOT EFFLUENT BASINS ==
29 31 CONSTRUCTION DESIGN STANDARDS.

29 32 If the department requires that a settled open feedlot
29 33 effluent basin be constructed according to construction design
29 34 standards, regardless of whether the department requires the
29 35 owner to be issued a construction permit under section
30 1 459.103, any construction design standards for the basin shall
30 2 be established by rule as provided in chapter 17A that
30 3 exclusively account for special design characteristics of open
30 4 feedlots and related basins, including but not limited to the
30 5 dilute composition of settled open feedlot effluent as
30 6 collected and stored in the basins.

30 7 Sec. 75. Section 459.501, subsection 2, Code 2003, is
30 8 amended to read as follows:

30 9 2. The fund consists of moneys from indemnity fees

30 10 remitted by permittees to the department as provided in
30 11 section 459.502; moneys from indemnity fees remitted by
30 12 persons required to submit manure management plans to the
30 13 department pursuant to section 459.503; sums collected on
30 14 behalf of the fund by the department through legal action or
30 15 settlement; moneys required to be repaid to the department by
30 16 a county pursuant to this subchapter; ~~civil penalties assessed~~
~~30 17 and collected by the department or the attorney general~~
~~30 18 pursuant to chapter 455B, against animal feeding operations;~~
~~30 19 moneys paid as a settlement involving an enforcement action~~
~~30 20 for a civil penalty subject to assessment and collection~~
~~30 21 against permittees by the department or the attorney general~~
~~30 22 pursuant to chapter 455B;~~ interest, property, and securities
30 23 acquired through the use of moneys in the fund; or moneys
30 24 contributed to the fund from other sources.

30 25 Sec. 76. Section 462A.12, subsection 6, Code 2003, is
30 26 amended to read as follows:

30 27 6. An owner or operator shall not permit any person under
30 28 twelve years of age to operate the personal watercraft unless
30 29 accompanied in or on the same personal watercraft by a
30 30 responsible person of at least eighteen years of age.
30 31 ~~However, commencing~~ Commencing January 1, 2003, a person who
30 32 is twelve years of age or older but less than eighteen years
30 33 of age shall not operate any personal watercraft unless the
30 34 person has successfully completed a department-approved
30 35 watercraft safety course. A person required to have a
31 1 watercraft safety certificate shall carry and shall exhibit or
31 2 make available the certificate upon request of an officer of
31 3 the department. A violation of this subsection is a simple
31 4 misdemeanor as provided in section 462A.13. However, a person
31 5 charged with violating this subsection shall not be convicted
31 6 if the person produces in court, within a reasonable time, a
31 7 department-approved certificate. The cost of a department
31 8 certificate, or any duplicate, shall not exceed five dollars.

31 9 Sec. 77. Section 476A.23, subsection 3, paragraph b, Code
31 10 2003, is amended to read as follows:

31 11 b. The electric power agency annually files with the
31 12 utilities board, in a manner to be determined by the utilities
31 13 board, information regarding sales from the electric power
31 14 generating facility in sufficient detail to determine
31 15 compliance with these provisions.

31 16 Sec. 78. Section 476A.23, subsection 3, paragraph b,
31 17 unnumbered paragraph 2, Code 2003, is amended to read as
31 18 follows:

31 19 The utilities board shall report to the general assembly if
31 20 any of the provisions are being violated.

31 21 Sec. 79. Section 490.202, subsection 2, paragraphs d and
31 22 f, Code 2003, are amended to read as follows:

31 23 d. A provision eliminating or limiting the liability of a
31 24 director to the corporation or its shareholders for money
31 25 damages for any action taken, or any failure to take any
31 26 action, as a director, except liability for any of the
31 27 following:

31 28 (1) The amount of a financial benefit received by a
31 29 director to which the director is not entitled.

31 30 (2) An intentional infliction of harm on the corporation
31 31 or the shareholders.

31 32 (3) A violation of section 490.833.

31 33 (4) An intentional violation of criminal law.

31 34 ~~A provision shall not eliminate or limit the liability of a~~
31 35 ~~director for an act or omission occurring prior to the date~~
32 1 ~~when the provision in the articles of incorporation becomes~~
32 2 ~~effective.~~

~~32 3 f. A provision eliminating or limiting the liability of a~~
~~32 4 director to the corporation or its shareholders for money~~
~~32 5 damages for any action taken, or any failure to take any~~
~~32 6 action, as a director, except liability for any of the~~
~~32 7 following:~~

~~32 8 (1) The amount of a financial benefit received by a~~
~~32 9 director to which the director is not entitled.~~

~~32 10 (2) An intentional infliction of harm on the corporation~~
~~32 11 or the shareholders.~~

~~32 12 (3) A violation of section 490.833.~~

~~32 13 (4) An intentional violation of criminal law.~~

~~32 14 A provision shall not eliminate or limit the liability of a~~
~~32 15 director for an act or omission occurring prior to the date~~
~~32 16 when the provision in the articles of incorporation becomes~~
~~32 17 effective.~~

32 18 Sec. 80. Section 490.724, subsection 5, Code 2003, is
32 19 amended to read as follows:

32 20 5. Corporate action based on the acceptance or rejection

32 21 of a vote, consent, waiver, or proxy appointment under this
32 22 section ~~or section 490.722, subsection 2~~, is valid unless a
32 23 court of competent jurisdiction determines otherwise.

32 24 Sec. 81. Section 490.727, subsection 2, Code 2003, is
32 25 amended to read as follows:

32 26 2. An amendment to the articles of incorporation or bylaws
32 27 that adds, changes, or deletes a greater quorum or voting
32 28 requirement must meet the same quorum requirement and be
32 29 adopted by the same vote and voting groups required to take
32 30 action under the quorum and voting requirements then in effect
32 31 or proposed to be adopted, whichever is greater.

32 32 Sec. 82. Section 490.831, subsection 3, paragraphs a and
32 33 b, Code 2003, are amended to read as follows:

32 34 a. In any instance where fairness is at issue, such as
32 35 consideration of the fairness of a transaction to the
33 1 corporation under section ~~490.861, subsection 2, paragraph "c"~~
33 2 490.832, alter the burden of proving the fact or lack of
33 3 fairness otherwise applicable.

33 4 b. Alter the fact or lack of liability of a director under
33 5 another section of this chapter, such as the provisions
33 6 governing the consequences of an unlawful distribution under
33 7 section 490.833 or a transactional interest under section
33 8 ~~490.861~~ 490.832.

33 9 Sec. 83. Section 490.851, subsection 1, Code 2003, is
33 10 amended to read as follows:

33 11 1. Except as otherwise provided in this section, a
33 12 corporation may indemnify an individual who is a party to a
33 13 proceeding because the individual is a director against
33 14 liability incurred in the proceeding if ~~all~~ either of the
33 15 following apply:

33 16 a. All of the following apply:

33 17 ~~a.~~ (1) The individual acted in good faith.

33 18 ~~b.~~ (2) The individual reasonably believed:

33 19 ~~(1)~~ (a) In the case of conduct in the individual's
33 20 official capacity, that the individual's conduct was in the
33 21 best interests of the corporation.

33 22 ~~(2)~~ (b) In all other cases, that the individual's conduct
33 23 was at least not opposed to the best interests of the
33 24 corporation.

33 25 ~~c.~~ (3) In the case of any criminal proceeding, the
33 26 individual had no reasonable cause to believe the individual's
33 27 conduct was unlawful, ~~or the~~

33 28 b. The individual engaged in conduct for which broader
33 29 indemnification has been made permissible or obligatory under
33 30 a provision of the articles of incorporation as authorized by
33 31 section 490.202, subsection 2, paragraph "e".

33 32 Sec. 84. Section 490.856, subsection 2, Code 2003, is
33 33 amended to read as follows:

33 34 2. The provisions of subsection 1, paragraph "b", shall
33 35 apply to an officer who is also a director if the basis on
34 1 which the officer is made a party to a proceeding is an ~~act or~~
34 2 ~~omission action taken or a failure to take an action~~ solely as
34 3 an officer.

34 4 Sec. 85. Section 490.1323, subsection 3, Code 2003, is
34 5 amended to read as follows:

34 6 3. A shareholder who does not ~~demand payment or~~ execute
34 7 and return the form and, in the case of certificated shares,
34 8 deposit the shareholder's share certificates where required,
34 9 each by the date set forth in the ~~dissenters'~~ notice described
34 10 in section 490.1322, subsection 2, shall not be entitled to
34 11 payment ~~for the shareholder's shares~~ under this division.

34 12 Sec. 86. Section 490.1324, subsection 2, paragraph c, Code
34 13 2003, is amended to read as follows:

34 14 c. A statement that shareholders described in subsection 1
34 15 have the right to demand further payment under section
34 16 490.1326 and that if any such shareholder does not do so
34 17 within the time period specified therein, such shareholder
34 18 shall be deemed to have accepted ~~such the~~ payment to the
34 19 shareholder pursuant to subsection 1 in full satisfaction of
34 20 the corporation's obligations under this chapter.

34 21 Sec. 87. Section 490.1404, subsection 1, Code 2003, is
34 22 amended to read as follows:

34 23 1. A corporation may revoke its dissolution within one
34 24 hundred twenty days of ~~its~~ the effective date of its articles
34 25 of dissolution.

34 26 Sec. 88. Section 502.102, subsection 13, paragraph c, Code
34 27 2003, is amended to read as follows:

34 28 c. With respect to a viatical settlement investment
34 29 contract, "issuer" means a person involved in creating,
34 30 transferring, or selling to an investor any interest in such a
34 31 contract, including but not limited to fractional or pooled

34 32 interests, but does not include an agent or a broker-dealer.

34 33 Sec. 89. Section 502.202, subsection 19, unnumbered

34 34 paragraph 1, Code 2003, is amended to read as follows:

34 35 A viatical settlement investment contract, or fractional or
35 1 pooled interest in such contract, provided any of the
35 2 following conditions are satisfied:

35 3 Sec. 90. Section 508E.3A, subsection 1, paragraph b, Code
35 4 2003, is amended to read as follows:

35 5 b. The national association of insurance commissioners,
35 6 the insurance division of the department of commerce, a
35 7 federal or state governmental agency or bureau established to
35 8 detect and prevent fraudulent insurance or viatical settlement
35 9 acts, or any other organization established for such purpose,
35 10 and their agents, employees, or designees.

35 11 Sec. 91. Section 537.1301, subsection 4, paragraph b, Code
35 12 2003, is amended to read as follows:

35 13 b. In the case of a loan, the net amount paid to,
35 14 receivable by, or paid or payable for the account of the
35 15 debtor, plus the amount of any discount excluded from the
35 16 finance charge under subsection ~~20~~ 19, paragraph "b,"
35 17 subparagraph 3, plus additional charges if permitted under
35 18 paragraph "c" of this subsection.

35 19 Sec. 92. Section 542.13, subsection 16, paragraph d, Code
35 20 2003, is amended to read as follows:

35 21 ~~d. 17.~~ Nothing contained in this chapter shall be
35 22 construed to authorize any person engaged in the practice as a
35 23 certified public accountant or licensed public accountant or
35 24 any member or employee of such firm to engage in the practice
35 25 of law individually or within entities licensed under this
35 26 chapter.

35 27 Sec. 93. Section 542.19, subsection 1, paragraph a, Code
35 28 2003, is amended to read as follows:

35 29 a. The other state's licensing or certification standards
35 30 are substantially equivalent to those required by this
35 31 chapter.

35 32 Sec. 94. Section 544B.12, Code 2003, is amended to read as
35 33 follows:

35 34 544B.12 SEAL.

35 35 Every professional landscape architect shall have a seal,
36 1 approved by the board, which shall contain the name of the
36 2 landscape architect and the words "Professional Landscape
36 3 Architect, State of Iowa", and such other words or figures as
36 4 the board may deem necessary. All landscape architectural
36 5 plans and specifications, prepared by such professional
36 6 landscape architect or under the supervision of such
36 7 professional landscape architect, shall be dated and bear the
36 8 legible seal of such professional landscape architect.
36 9 Nothing contained in this section shall be construed to permit
36 10 the seal of a professional landscape architect to serve as a
36 11 substitute for the seal of a licensed architect, a licensed
36 12 professional engineer, or a licensed land surveyor whenever
36 13 the seal of an architect, engineer or land surveyor is
36 14 required under the laws of this state.

36 15 Sec. 95. Section 554.9701, Code 2003, is amended to read
36 16 as follows:

36 17 554.9701 EFFECTIVE DATE.

36 18 ~~This The amendments to this Article takes as enacted in~~
36 19 2000 Iowa Acts, chapter 1149, take effect on July 1, 2001, and
36 20 are applicable on and after that date.

36 21 Sec. 96. Section 554D.118, subsection 4, Code 2003, is
36 22 amended to read as follows:

36 23 4. Except as otherwise agreed, a person having control of
36 24 a transferable record is the holder, as defined in section
36 25 554.1201, of the transferable record and has the same rights
36 26 and defenses as a holder of an equivalent record or writing
36 27 under chapter 554, including, if the applicable statutory
36 28 requirements under section 554.3302, subsection 1, section
36 29 554.7501, or section ~~554.9308~~ 554.9330 are satisfied, the
36 30 rights and defenses of a holder in due course, a holder to
36 31 which a negotiable document of title has been duly negotiated,
36 32 or a purchaser, respectively. Delivery, possession, and
36 33 endorsement are not required to obtain or exercise any of the
36 34 rights under this subsection.

36 35 Sec. 97. Section 554D.120, subsection 4, Code 2003, is
37 1 amended to read as follows:

37 2 4. Except as otherwise provided in subsection 2 and in
37 3 section 554D.114, subsection 6, this chapter does not require
37 4 a governmental agency of this state to use or permit the use
37 5 of electronic records or electronic signatures.

37 6 Sec. 98. Section 556.1, subsection 3, Code 2003, is
37 7 amended to read as follows:

37 8 3. "Cooperative association" means an entity which is
37 9 structured and operated on a cooperative basis, including an
37 10 association of persons organized under chapter 497, 498, or
37 11 499; an entity composed of entities organized under those
37 12 chapters; a cooperative ~~corporation~~ organized under chapter
37 13 501; a cooperative association organized under chapter 490; or
37 14 any other entity recognized pursuant to 26 U.S.C. } 1381(a)
37 15 which meets the definitional requirements of an association as
37 16 provided in 12 U.S.C. } 1141(j)(a) or 7 U.S.C. } 291.

37 17 Sec. 99. Section 598.7A, subsection 5, Code 2003, is
37 18 amended to read as follows:

37 19 5. The supreme court shall prescribe qualifications for
37 20 mediators under this section ~~on or before January 1, 2001.~~

37 21 The qualifications shall include but are not limited to the
37 22 ethical standards to be observed by mediators. The
37 23 qualifications shall not include a requirement that the
37 24 mediator be licensed to practice any particular profession.

37 25 Sec. 100. Section 600.13, subsection 1, Code 2003, is
37 26 amended to read as follows:

37 27 1. At the conclusion of the adoption hearing, the juvenile
37 28 court or court shall do one of the following:

37 29 a. Issue a final adoption ~~decree~~; decree.

37 30 b. Issue an interlocutory adoption ~~decree~~; or, decree.

37 31 c. Issue a standby adoption decree pursuant to section
37 32 600.14A.

37 33 d. Dismiss the adoption petition if the requirements of
37 34 this chapter have not been met or if dismissal of the adoption
37 35 petition is in the best interest of the person whose adoption
38 1 has been petitioned. Upon dismissal, the juvenile court or
38 2 court shall determine who is to be guardian or custodian of a
38 3 minor child, including the adoption petitioner if it is in the
38 4 best interest of the minor person whose adoption has been
38 5 petitioned.

38 6 Sec. 101. Section 602.8105, subsection 1, paragraph e,
38 7 Code 2003, is amended to read as follows:

38 8 e. For an appeal from a judgment in small claims or for
38 9 filing and docketing a writ of error, seventy-five dollars.

38 10 Sec. 102. Section 633.4105, subsection 2, paragraph b,
38 11 subparagraph (1), Code 2003, is amended to read as follows:

38 12 (1) By majority vote of all qualified beneficiaries, who
38 13 are adults, and the representative of any minor or incompetent
38 14 qualified beneficiary, ~~as defined by~~ provided in section
38 15 633.6303.

38 16 Sec. 103. Section 637.603, subsection 2, unnumbered
38 17 paragraph 1, Code 2003, is amended to read as follows:

38 18 The trustee sends written notice of the trustee's intention
38 19 to take any action described in ~~subsection 1~~ section 637.602,
38 20 along with copies of such written policy and this subchapter,
38 21 to all of the following persons:

38 22 Sec. 104. Section 637.605, subsection 3, unnumbered
38 23 paragraph 1, Code 2003, is amended to read as follows:

38 24 The trustee sends written notice of the trustee's intention
38 25 to take any action described in ~~subsection 1~~ section 637.604,
38 26 along with copies of such written policy, this subchapter, and
38 27 the determination of the disinterested person to all of the
38 28 following persons:

38 29 Sec. 105. Section 717A.2, subsection 3, paragraph a, Code
38 30 2003, is amended to read as follows:

38 31 a. A person who violates subsection 1, paragraph "a", is
38 32 guilty of a class "C" felony if the injury to or death of an
38 33 animal or damage to property exceeds fifty thousand dollars, a
38 34 class "D" felony if the injury to or death of an animal or
38 35 damage to property exceeds five hundred dollars but does not
39 1 exceed fifty thousand dollars, an aggravated misdemeanor if
39 2 the injury to or death of an animal or damage to property
39 3 exceeds one hundred dollars but does not exceed five hundred
39 4 dollars, a serious misdemeanor if the injury to or death of an
39 5 animal or damage to property exceeds fifty dollars but does
39 6 not exceed one hundred dollars, or a simple misdemeanor if the
39 7 injury to or death of an animal or damage to property does not
39 8 exceed fifty dollars.

39 9 Sec. 106. Section 910.1, subsection 4, Code 2003, is
39 10 amended to read as follows:

39 11 4. "Restitution" means payment of pecuniary damages to a
39 12 victim in an amount and in the manner provided by the
39 13 offender's plan of restitution. "Restitution" also includes
39 14 fines, penalties, and surcharges, the contribution of funds to
39 15 a local anticrime organization which provided assistance to
39 16 law enforcement in an offender's case, the payment of crime
39 17 victim compensation program reimbursements, payment of
39 18 restitution to public agencies pursuant to section 321J.2,

39 19 subsection 9, paragraph "b", court costs including
39 20 correctional fees approved pursuant to section 356.7, court=
39 21 appointed attorney fees ordered pursuant to section 815.9,
39 22 including the expense of a public defender, and the
39 23 performance of a public service by an offender in an amount
39 24 set by the court when the offender cannot reasonably pay all
39 25 or part of the court costs including correctional fees
39 26 approved pursuant to section 356.7, or court=appointed
39 27 attorney fees ordered pursuant to section 815.9, including the
39 28 expense of a public defender.

39 29 Sec. 107. 2002 Iowa Acts, chapter 1137, section 68,
39 30 subsection 2, is amended by adding the following new
39 31 unnumbered paragraph:

39 32 NEW UNNUMBERED PARAGRAPH. The Code editor is directed to
39 33 strike section 455I.1, unnumbered paragraph 1, Code 2001, and
39 34 section 455I.1, subsection 5, Code 2001.

39 35 Sec. 108. 2001 Iowa Acts, Second Extraordinary Session,
40 1 chapter 6, section 26, is amended to read as follows:

40 2 SEC. 26. RETROACTIVE APPLICABILITY AND EFFECTIVE DATES.

40 3 1. This division of this Act is retroactively applicable
40 4 to July 1, 2001, and is applicable on and after that date.

40 5 2. The effective date of sections 21 through 24 of this

40 6 division of this Act shall be the later of July 1, 2002, or

40 7 upon the legislative enactment of the interstate compact for

40 8 adult offender supervision by the thirty-fifth jurisdiction.

40 9 The director of the department of corrections shall notify the

40 10 Code editor upon the enactment of the compact by the thirty-

40 11 fifth jurisdiction.

40 12 Sec. 109. 1988 Iowa Acts, chapter 1182, sections 4 and 5,

40 13 are repealed.

40 14 Sec. 110. 1988 Iowa Acts, chapter 1182, section 6, is

40 15 amended to read as follows:

40 16 SEC. 6. EFFECTIVE DATE. This Act takes effect July 1,

40 17 1989. ~~Sections 4 and 5 take effect when the authority~~

~~40 18 determines that degradable products are available to a degree~~

~~40 19 which makes compliance reasonably possible. The authority~~

~~40 20 shall establish the effective date by rule adopted under~~

~~40 21 chapter 17A.~~

40 22 Sec. 111. Section 11.24, Code 2003, is repealed.

40 23 Sec. 112. Section 236.15B, Code 2003, is repealed.

40 24 Sec. 113. Section 443.23, Code 2003, is repealed.

40 25 Sec. 114. Section 558.1A, Code 2003, is repealed.

40 26 Sec. 115. AUTHORIZATION TO CODE EDITOR == REFERENCE

40 27 CHANGES.

40 28 1. The Code editor may add any or all of the following

40 29 references in the 2003 Code Supplement or in the 2005 Code as

40 30 deemed proper by the Code editor:

40 31 a. The Code editor may include the phrase "as provided in

40 32 chapter 17A" or ", chapter 17A," following the language "Iowa

40 33 administrative procedure Act" if the language does not provide

40 34 a reference to chapter 17A or a section of that chapter.

40 35 b. The Code editor may include the phrase "as provided in

41 1 chapter 537" or ", chapter 537," following the language "Iowa

41 2 consumer credit code" if the language does not provide a

41 3 reference to chapter 537 or a section of that chapter.

41 4 c. The Code editor may include the phrase "as provided in

41 5 chapter 554" or ", chapter 554," following the language

41 6 "uniform commercial code" or "Iowa uniform commercial code" if

41 7 the language does not provide a reference to chapter 554 or a

41 8 section of that chapter.

41 9 d. The Code editor may include the phrase "as provided in

41 10 section 103A.7" or ", section 103A.7," following the language

41 11 "state building code" if the language does not provide a

41 12 reference to chapter 103A or section 103A.7.

41 13 2. The Code editor may substitute the term "division" for

41 14 the "division of criminal investigation of the department of

41 15 public safety" wherever it appears in chapter 99F.

41 16 Sec. 116. AUTHORIZATION TO CODE EDITOR == TRANSFER. The

41 17 Code editor may transfer section 126.24 to a new chapter 708B

41 18 or another chapter deemed appropriate by the Code editor.

41 19 Sec. 117. EFFECTIVE AND RETROACTIVE APPLICABILITY DATES.

41 20 1. The sections of this Act amending sections 159.6 and

41 21 173.3, as amended by 2002 Iowa Acts, chapter 1017, take effect

41 22 July 1, 2005.

41 23 2. The section of this Act amending section 554.9701,

41 24 being deemed of immediate importance, takes effect upon

41 25 enactment and applies retroactively to July 1, 2001.

41 26 3. The section of this Act amending 2001 Iowa Acts, Second

41 27 Extraordinary Session, chapter 6, section 26, being deemed of

41 28 immediate importance, takes effect upon enactment.

41 29

EXPLANATION

41 30 This bill contains statutory corrections that adjust
41 31 language to reflect current practices, insert earlier
41 32 omissions, delete redundancies and inaccuracies, delete
41 33 temporary language, resolve inconsistencies and conflicts,
41 34 update ongoing provisions, or remove ambiguities. The Code
41 35 sections amended include all of the following:

42 1 Code section 6B.18: Clarifies that both the adverse party
42 2 (or the party's representative) and any lienholder or
42 3 encumbrancer must receive the notice of appraisal under
42 4 eminent domain procedures.

42 5 Code sections 8D.2 and 8D.9: Transfers a provision
42 6 regulating the use of the Iowa communications network for
42 7 homeland security use by public agencies from a definitional
42 8 Code section to a Code section specifically providing for
42 9 network use.

42 10 Code sections 10A.101 and 124C.1: Eliminates the
42 11 definitions of the terms "book", "list", "record", and
42 12 "schedule" in the Code chapters establishing the department of
42 13 inspections and appeals and providing for the cleanup of
42 14 clandestine laboratory sites used to manufacture controlled
42 15 substances since the Code chapters do not refer to these types
42 16 of items kept by county officials.

42 17 Code section 10B.4A: Combines provisions which suspend
42 18 certain filing requirements for foreign entities holding
42 19 agricultural land in this state within the same Code section
42 20 and corrects a reference to Code section 9I.7.

42 21 Code section 10D.2: Corrects a spelling error in a
42 22 provision which authorizes a qualified enterprise to hold
42 23 agricultural land for activities related to the production of
42 24 baby chicks and fertilized chicken eggs.

42 25 Code section 12C.19: Deletes a comma to remove an
42 26 ambiguity relating to applicability of certain approval
42 27 requirements to withdrawal of securities from credit unions
42 28 and conforms language relating to the withdrawal of securities
42 29 from depositories to language contained in a succeeding
42 30 sentence.

42 31 Code section 12C.23A: Eliminates a duplicative phrase in a
42 32 provision for indemnification against losses by depositors of
42 33 a closed bank.

42 34 Code section 13B.4: Changes a reference from "appropriate
42 35 and reasonable" to "reasonable and necessary" to conform to
43 1 other references in the same Code section to the standard used
43 2 by the state public defender when reviewing and approving
43 3 claims for payment of indigent defense costs.

43 4 Code section 14B.105: Corrects an internal reference to
43 5 certain types of members in a provision which establishes the
43 6 terms of office for members of the information technology
43 7 council.

43 8 Code section 15.108: Deletes a reference to the council on
43 9 human investment, which was repealed by 2000 Acts, chapter
43 10 1231.

43 11 Code sections 15E.45, 15E.51, and 15E.67: Corrects a
43 12 reference to the name of the community-based seed capital
43 13 fund, corrects grammatical usages, reorganizes a provision to
43 14 improve its readability, and substitutes codified section
43 15 numbers for references to an enacted House File.

43 16 Code section 15E.193C: Uses a singular rather than a
43 17 plural noun in a provision relating to financial assistance to
43 18 eligible businesses located in enterprise zones.

43 19 Code sections 16.15 and 16.132: Substitutes the word
43 20 "chapter" for "Act" (referring to the authority's enabling
43 21 legislation) in a provision which authorizes the use of
43 22 revenue sources to support the Iowa finance authority's
43 23 housing assistance payments program. Corrects terminology in
43 24 an Iowa finance authority's program to support municipalities
43 25 to be consistent with language in Code chapter 455B providing
43 26 for an Iowa water pollution control works and drinking water
43 27 facilities financing program.

43 28 Code section 23A.2: Corrects grammatical errors in
43 29 exceptions applicable to the state board of regents and school
43 30 corporations from certain private enterprise competition
43 31 restrictions.

43 32 Code section 25B.7: Strikes a subsection determining
43 33 property tax credit and exemption reimbursement amounts which
43 34 by its own terms was repealed on June 30, 2002.

43 35 Code section 28.4: Eliminates the authority to establish a
44 1 summit to consider issues of funding and services as part of
44 2 the community empowerment initiative since the authority
44 3 expired at the end of 2001.

44 4 Code section 29B.22: Eliminates a reference to the
44 5 position of state judge advocate in the military justice code

44 6 and conforms the language to changes made in 2002 Acts,
44 7 chapter 1117.
44 8 Code sections 43.45, 45.5, 48A.29, and 49.71: These Code
44 9 sections relate to election laws.
44 10 Code section 45.5: Changes an incorrect reference from
44 11 Code section 45.1 to Code section 39.27, in language referring
44 12 to residency requirements for candidates and conforms the
44 13 statement requirements to the requirements in Code section
44 14 39.27. Grammatical changes are also made in the section.
44 15 Code section 43.45: Corrects an internal reference to
44 16 procedures used to canvass votes and eliminates an unneeded
44 17 preposition.
44 18 Code section 48A.29: Eliminates a description of why
44 19 identification must be shown if a voter registration card is
44 20 not returned as the requirements are also set out in the same
44 21 Code section and in Code section 48A.27.
44 22 Code section 49.71: Eliminates a reference to a "card of
44 23 instructions" in conformity with Code section 49.70 which
44 24 allows instructions to be distributed to precinct election
44 25 officials for posting at election sites in other formats.
44 26 Code section 56.4: Substitutes the correct preposition in
44 27 a provision relating to campaign finance reports which are
44 28 required to be filed with the Iowa ethics and campaign
44 29 disclosure board.
44 30 Code section 80.22: Replaces the phrase "this Act" with
44 31 the appropriate reference to the 1939 Iowa Acts in a provision
44 32 restricting agencies other than the department of public
44 33 safety from exercising police powers.
44 34 Code sections 97B.17 and 97B.42C: Internally renumbers
44 35 Code section 97B.17, which provides for the release of certain
45 1 retirement system records which might be considered
45 2 confidential. Provides that the Iowa public employees'
45 3 retirement system (IPERS) division rather than the system is
45 4 authorized to adopt rules necessary to effectuate mergers of
45 5 municipal water utility or waterworks pension and annuity
45 6 retirement systems into IPERS.
45 7 Code sections 99B.7, 99B.12, and 99F.1: These Code
45 8 sections are organized within Code chapters providing for
45 9 gambling, including games of chance or skill and raffles, and
45 10 wagering on excursion boats and at racetracks. Strikes a
45 11 reference in Code section 99B.7, which provides for
45 12 restrictions upon persons allowed to conduct or promote a
45 13 bingo occasion. The reference derives from a correction to a
45 14 previously incorrect reference which was made in 2002 Acts,
45 15 chapter 1068, } 7, but the language to which the reference
45 16 then referred was stricken in } 10 of the same Act (now
45 17 incorrect after being renumbered in the 2003 Code). Corrects
45 18 a reference to "game" rather than "same" in Code section
45 19 99B.12, which allows playing certain card and parlor games.
45 20 Adds a definition of "division" to mean the division of
45 21 criminal investigation within the department of public safety
45 22 to Code section 99F.1 which provides definitions for the
45 23 chapter regulating excursion boats and racetracks.
45 24 Code section 135.11, subsection 17: Adds Code chapter
45 25 142A, relating to tobacco use prevention and control, to the
45 26 list of chapters administered by the department of public
45 27 health. The department is the administering agency under Code
45 28 chapter 142A.
45 29 Code section 137F.1, subsection 8, paragraph "e":
45 30 Clarifies that the exclusion from the definition of "food
45 31 establishment" applies if certain food is not sold or
45 32 distributed from the premises.
45 33 Code section 153.33, subsection 5: Adds "or registrant"
45 34 after "licensee" to reflect 2002 change adding dental
45 35 assisting and registration of dental assistants to applicable
46 1 disciplinary sections.
46 2 Code sections 159.6 and 173.3: Corrects internal
46 3 references to Code chapter 176A, effective July 1, 2005, which
46 4 were omitted when the repeal of Code chapter 176 was enacted
46 5 in 2002 Iowa Acts, chapter 1017.
46 6 Code section 159A.3: Eliminates references to the Wallace
46 7 technology transfer foundation of Iowa, which was repealed by
46 8 1999 Iowa Acts, chapter 208.
46 9 Code sections 192.101A, 192.102, and 192.110: Updates
46 10 references to reflect the latest revision of the "Grade 'A'
46 11 Pasteurized Milk Ordinance". The department of agriculture
46 12 and land stewardship administers the federal provisions
46 13 relating to pasteurizing of milk, which have been revised.
46 14 Code sections 229A.8A and 229A.10: Makes terminology
46 15 relating to sexually violent predators consistent with
46 16 terminology used in the rest of the sections.

46 17 Code sections 232.68 and 235A.13: Adds Code section
46 18 235A.24 to list of sections to which these definitional
46 19 sections apply. Code section 235A.24 was enacted in 2000.
46 20 Code section 232.71B: Clarifies that the attorney
46 21 representing a person alleged to have committed child abuse
46 22 may, on behalf of the person, decline the offer of a child
46 23 abuse assessment interview by the department.
46 24 Code sections 236.2 and 236.3: Removes the definition of
46 25 "plaintiff" relating to commencement of actions in domestic
46 26 abuse cases from substantive Code section 236.3 and places the
46 27 definition in Code section 236.2, the definitions section for
46 28 the chapter.
46 29 Code section 237A.29: Substitutes the proper preposition
46 30 and specifies the particular suspension referred to in
46 31 language authorizing the filing of a petition for an
46 32 injunction relating to obtaining public funding for child care
46 33 by fraudulent means.
46 34 Code section 277.23, subsection 2: Provides consistency in
46 35 language relating to when the number of directors on the board
47 1 of a school district must be increased due to a city's
47 2 population of 15,000 or more.
47 3 Code section 284.11, subsection 2: Harmonizes two
47 4 different enactments, which amended the subsection in 2001,
47 5 and relate to sharing of a single cash award under a pilot
47 6 program for team-based variable pay for teachers based on
47 7 student achievement.
47 8 Code section 321E.8: Adds "manufactured or" before the
47 9 term "mobile homes" in language regarding annual permits for
47 10 certain vehicles. "Manufactured or mobile homes" is the term
47 11 defined in Code chapter 321E.
47 12 Code sections 321G.4, 321G.19, and 321G.33: Changes the
47 13 term "identification" number to refer to either the
47 14 "registration" or "vehicle identification" number in these
47 15 Code sections to clarify which identification number is being
47 16 referenced. 2002 Iowa Acts, chapter 1027, enacted Code
47 17 sections 321G.5 and 321G.33, which requires the display of
47 18 identification numbers, but several types of identification
47 19 numbers are referred to within the Code chapter.
47 20 Code section 446.9: Inserts several conjunctions to
47 21 correct grammatical usage relating to the required content of
47 22 the notice and publication for annual tax sales held by county
47 23 treasurers.
47 24 Code section 455B.105: Changes specific references to Code
47 25 chapter 459, subchapters I through IV and VI, to general
47 26 references to Code chapter 459 in a provision relating to
47 27 rulemaking authority of the environmental protection
47 28 commission.
47 29 Code section 455B.171: Deletes a definition of "open
47 30 feedlot" in Code chapter 455B relating to water quality. The
47 31 term is no longer used in that Code chapter. Provisions
47 32 relating to feedlots were transferred to Code chapter 459 in
47 33 Code 2003.
47 34 Code section 455B.183: Internally renumbers and
47 35 redesignates the Code section dealing with public water supply
48 1 permits to improve readability and comprehension.
48 2 Code section 455B.187: Eliminates outdated provisions
48 3 relating to water well contractor registration.
48 4 Code section 455D.11I: Deletes redundant requesting
48 5 language in a provision requiring waste tire haulers to carry
48 6 a certificate of registration and show such certificate upon
48 7 request of the state department of transportation.
48 8 Code section 457A.2: Changes the defined term "natural
48 9 resources" to "natural and cultural resources" to agree with
48 10 usage of the term in Code chapter 457A.
48 11 Code section 459.102(18): Adds a definition of
48 12 "department" to Code chapter 459. The definition was
48 13 inadvertently omitted when provisions relating to animal
48 14 agriculture compliance were transferred to the Code chapter in
48 15 Code 2003.
48 16 Code section 459.102(40): In the definition of "restricted
48 17 spray irrigation equipment", substitutes "maximum pressure"
48 18 for "rate" in describing the means by which manure is
48 19 dispersed. A similar change was made in the 2000 Code
48 20 editor's bill, 2000 Iowa Acts, chapter 1154, section 31.
48 21 Code section 459.301: In provision relating to one of the
48 22 means for determining whether two or more confinement feeding
48 23 operations are adjacent, clarifies that one of the confinement
48 24 feeding operation structures must be constructed on or after a
48 25 certain date rather than on and after that date.
48 26 Code section 459.303(2): Inserts "structure" following
48 27 "confinement feeding operation" in provision relating to

48 28 approval of applications for construction of confinement
48 29 feeding operation structures.
48 30 Code section 459.309: Specifies that design standards
48 31 required by the department of natural resources for settled
48 32 open feedlots effluent basins are construction design
48 33 standards.
48 34 Code section 459.501: Deletes references to inclusion of
48 35 moneys received from civil penalties collected for violations
49 1 of certain animal feeding operations provisions and from
49 2 enforcement action settlements under Code chapter 455B in the
49 3 manure storage indemnity fund. 2002 Iowa Acts, chapter 1137,
49 4 directed that such moneys be deposited in the animal
49 5 agriculture compliance fund.
49 6 Code section 462A.12: Clarifies that the requirement that
49 7 a person aged 12 to 18 successfully complete a watercraft
49 8 safety course before operating personal watercraft is in
49 9 addition to the requirement that the person be accompanied in
49 10 or on the personal watercraft by a responsible person of at
49 11 least 18 years of age.
49 12 Code section 476A.23: Clarifies that the "board" given
49 13 certain authority in provisions relating to issuance of public
49 14 bonds or obligations by an electric power agency is the
49 15 utilities board.
49 16 Code section 490.202: Deletes paragraph "f", in a
49 17 provision relating to limitations on corporate director
49 18 liability in articles of incorporation, to eliminate language
49 19 that was identical to the language in paragraph "d". Language
49 20 contained in an unnumbered paragraph in paragraph "f", which
49 21 is not redundant, is added to paragraph "d".
49 22 Code section 490.724: Deletes a reference to Code section
49 23 490.722, which pertains to authorization of electronic
49 24 transmissions by shareholders and shareholders' agents or
49 25 attorneys-in-fact to conform the provision to the model
49 26 business corporation Act.
49 27 Code section 490.727: Adds the words "or bylaws" in
49 28 language relating to the quorum and voting requirements
49 29 applicable to amendments to the bylaws which relate to quorum
49 30 and voting requirements. This is consistent with the language
49 31 found in Code section 490.1021, relating to the amendment of
49 32 bylaws.
49 33 Code section 490.831: Corrects two incorrect references to
49 34 Code section 490.861, which does not exist in the Code, to
49 35 reflect a reference to Code section 490.832, which describes
50 1 various types of transactions which constitute conflicts of
50 2 interest for members of corporate boards of directors.
50 3 Code section 490.851: Conforms the provision to the
50 4 corresponding provision section 8.51 of the Iowa business
50 5 corporation Act, which is based on the model business
50 6 corporation Act of the American bar association. The current
50 7 Code language deviates from the model Act in that it limits
50 8 the applicability of indemnification when the articles of
50 9 incorporation so authorize to criminal proceedings only. The
50 10 2002 amendments to Code chapter 490, contained in 2002 Iowa
50 11 Acts, chapter 1154, are taken from the Iowa business
50 12 corporation Act.
50 13 Code section 490.856: Makes a grammatical change in
50 14 language relating to the basis on which a corporate officer
50 15 may be made a party to a proceeding.
50 16 Code section 490.1323: Deletes references to certain
50 17 requirements for a shareholder's perfection of any appraisal
50 18 rights that were eliminated in the 2002 legislation revising
50 19 Code chapter 490. The deletions include a reference to a
50 20 requirement that the shareholder "demand payment" in order to
50 21 perfect the shareholder's appraisal rights, which is not a
50 22 requirement in the Code chapter, and a reference to a
50 23 "dissenters' notice" that is now referred to as an "appraisal
50 24 notice".
50 25 Code section 490.1324: Clarifies that "such payment" means
50 26 the payment made to a shareholder by a corporation for the
50 27 fair value of the shareholder's shares, as determined by the
50 28 corporation, rather than the shareholder's demand for further
50 29 payment, in a provision relating to shareholders' rights in
50 30 regard to certain proposed corporate actions.
50 31 Code section 490.1404: Clarifies the phrase "its effective
50 32 date" by specifying that a corporation may revoke its
50 33 dissolution within 120 days of "the effective date of its
50 34 articles of dissolution".
50 35 Code sections 502.102 and 502.202: Adds "investment" to
51 1 the term "viatical settlement contract" in conformance with
51 2 the defined term otherwise used in the sections.
51 3 Code section 508E.3A: Clarifies the term "insurance

51 4 division" to mean the "insurance division of the department of
51 5 commerce" in the Code chapter relating to viatical settlement
51 6 contracts.

51 7 Code section 537.1301: Corrects a reference in a
51 8 definition of the term "amounts financed" in the consumer
51 9 credit code to correctly refer to the term "finance charges",
51 10 in subsection 19 rather than to the term "gift certificate" in
51 11 subsection 20.

51 12 Code section 542.13: Renumbers subsection 16, paragraph
51 13 "d" as subsection 17 in a provision relating to the licensing
51 14 of public accountants.

51 15 Code section 542.19: Adds words "or certification" to a
51 16 provision relating to the licensing of public accountants by
51 17 other states.

51 18 Code section 544B.12: Amends a provision relating to the
51 19 use of a professional landscape architect seal by specifying
51 20 that "land surveyor" means "a licensed land surveyor".

51 21 Code section 554.9701: In relation to the effective date
51 22 of amendments to the uniform commercial code, article 9,
51 23 secured transactions, by clarifying the sentence "This Article
51 24 takes effect on July 1, 2001." to mean "The amendments to this
51 25 Article as enacted in 2000 Iowa Acts, chapter 1149, take
51 26 effect on July 1, 2001, and are applicable on and after that
51 27 date."

51 28 Code section 554D.118: Substitutes cross-reference to Code
51 29 "section 554.9330" which relates to the priority of purchaser
51 30 of chattel paper for cross-reference to Code "section
51 31 554.9308" which relates to perfection of agricultural liens or
51 32 security interests.

51 33 Code section 554D.120: Clarifies the applicability of
51 34 provisions relating to the acceptance and distribution of
51 35 electronic records by governmental agencies.

52 1 Code section 556.1: Strikes the word "corporation" in the
52 2 term "cooperative corporation organized under chapter 501" as
52 3 Code chapter 501 only deals with cooperative associations and
52 4 not corporations.

52 5 Code section 598.7A: Strikes past deadline of January 1,
52 6 2001, for the supreme court to prescribe qualifications for
52 7 mediators.

52 8 Code section 600.13: Adds the correct grammatical lead-in
52 9 at the beginning of subsection 1 which relates to options of
52 10 the juvenile court at the conclusion of an adoption hearing.

52 11 Code section 602.8105: Clarifies that the particular civil
52 12 court fee is for "filing and docketing" a writ of error.

52 13 Code section 633.4105: Corrects language qualifying cross=
52 14 reference relating to the representation of minor or
52 15 incompetent qualified beneficiaries to eliminate
52 16 classification of section as a definitions provision.

52 17 Code sections 637.603 and 637.605: Corrects cross=
52 18 references to actions that may be taken in provisions relating
52 19 to total return unitrusts.

52 20 Code section 717A.2: Adds term "or death of" to the phrase
52 21 "injury to an animal or damage to property" to conform with
52 22 the remainder of the Code section relating to animal
52 23 facilities and the killing of or injury to an animal.

52 24 Code section 910.1: Adds the word "or" to improve
52 25 grammatical construction in a provision relating to the
52 26 definition of the term "restitution".

52 27 1988 Iowa Acts, chapter 1182: Eliminates a contingent
52 28 obsolete tax exemption relating to degradable packaging. The
52 29 corresponding provision enacted in the 1988 Acts, section
52 30 159.30, Code 2001, which would have provided the mechanism for
52 31 determining whether the contingency was met, was repealed in
52 32 2001 Iowa Acts, chapter 129, section 7.

52 33 2002 Iowa Acts, chapter 1137: Amends a Code editor
52 34 directive in a bill to instruct the Code editor to strike two
52 35 portions of a Code section which were not transferred by the
53 1 bill relating to animal agriculture.

53 2 2001 Iowa Acts, 2nd Ex., chapter 6, section 26: Makes
53 3 technical changes to the retroactive applicability and
53 4 effective date provisions for amendments to Code provisions
53 5 relating to tax breaks for businesses that hire persons on
53 6 parole or probation to whom the interstate probation and
53 7 parole compact applies. The Code provisions were amended by
53 8 2001 Iowa Acts, chapter 15, and subsequently amended by 2001
53 9 Iowa Acts, 2nd Ex., chapter 6: The changes in this bill make
53 10 those amendments applicable and effective at the same times.

53 11 Repeal:

53 12 Code section 11.24: Eliminates, through the repeal of a
53 13 short title, a reference to an Act passed by the 45th General
53 14 Assembly in 1933. The original provisions have been

53 15 repeatedly amended or eliminated since its enactment,
53 16 rendering the original reference obsolete.

53 17 Code section 236.15B: Repeals the income tax checkoff for
53 18 domestic abuse programs. Code section 422.12E requires that,
53 19 when three income tax checkoffs are in place, the income tax
53 20 checkoff receiving the least amount of revenue over a three=
53 21 year period shall be repealed. This repeal is based on
53 22 information relating to revenue received by the department of
53 23 revenue and finance.

53 24 Code section 443.23: Repeals a Code section defining the
53 25 terms "tax list", "assessment list", "book", and "record". A
53 26 provision defining similar terms was added in Code section
53 27 443.23A pursuant to legislation enacted in 2000.

53 28 Code section 558.1A: Repeals a duplicative definition of
53 29 "list", "book", "record", or "schedule" in Code chapter 558.

53 30 Code editor authorization: The Code editor is authorized
53 31 to substitute terms or add references to popular names of Acts
53 32 in the next edition of the Code Supplement or Code of Iowa.

53 33 The Code editor may add appropriate chapter or section
53 34 citations following stand-alone references to the Iowa
53 35 administrative procedure Act, the Iowa consumer credit code,
54 1 the uniform commercial code, or the state building code. The
54 2 Code editor may substitute "division" for "division of
54 3 criminal investigation within the department of public safety"
54 4 in Code chapter 99F.

54 5 The Code editor is authorized to transfer Code section
54 6 126.24 to a new Code chapter 708B or another chapter deemed
54 7 appropriate by the Code editor. The Code section makes it a
54 8 crime to possess or distribute anthrax. Chapter 126 pertains
54 9 to the regulation of drugs, devices, and cosmetics.

54 10 LSB 1065SC 80

54 11 lh/cf/24